

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

ELIZABETH STEFFENBERG,

Plaintiff,

v.

T. GENE GILMAN, STEVEN GILMAN, THE GILMAN
INSURANCE AGENCY, INC., DAVID M. SCOLL,
ARBOR SECURITIES, LTD., ALLIANCE
INVESTMENT MANAGEMENT, COMMONWEALTH
FINANCIAL HOLDINGS INC., FINANCIAL LINKS,
INC., T. GILMAN & CO., LTD., FIRST ALLIED
SECURITIES, INC., PENSON FINANCIAL SERVICES,
INC., AVIVA USA CORPORATION, TRADETEK,
LTD. and TRADETEK, LLC,

Defendants.

CIVIL ACTION NO. 04-40113-
FDS

**ASSENTED TO MOTION TO EXTEND TIME TO RESPOND TO
PLAINTIFF'S MOTION TO COMPEL**

NOW comes the Defendant, David M. Scoll (hereinafter "Scoll"), and hereby moves, pursuant to Local Rule 7.1 of the Local Rules of the United States District Court for the District of Massachusetts (hereinafter "Local Rules"), for an extension of time to September 27, 2004 within which to respond to Plaintiff's Motion to Compel. See Pl.'s Mot. to Compel Responses of Deft. David M. Scoll to Pl's First Req. for Prod. of Docs. dated Aug. 27, 2004 (hereinafter "Motion to Compel").

In support hereof, Scoll states:

1. The Plaintiff filed her Motion to Compel on August 27, 2004.
2. With said Motion, the Plaintiff seeks to compel responses to approximately twenty (20) of forty-six (46) requests for documents previously served on Scoll.

See Mem. in Supp. of Pl's Mot. to Compel Resp. to Pl's First Req. for Prod. of Docs. to Deft. David M. Scoll dated Aug. 27, 2004.

3. In response to the Plaintiff's document requests, Scoll has asserted that the materials requested are protected, inter alia, by the attorney-client privilege and Rule 1.6 of the Massachusetts Rules of Professional Conduct. See id., Exh. B.
4. Scoll is currently compiling Privilege Logs in support of his responses to the Plaintiff's First Request for Production of Documents. See id.
5. Pursuant to Local Rule 7.1(B)(2), Scoll had until September 10, 2004 within which to file and serve an opposition to the Plaintiff's Motion. See Local Rules 7.1(B)(2)(opposing party has fourteen (14) days to file and serve response).
6. Due to the number of requests and amount of documents which must be reviewed in order to accurately complete the Privilege Logs, Scoll is in need of additional time to prepare said Logs.
7. Scoll is in need of additional time to respond to the Plaintiff's Motion to Compel for the same reasons.
8. As a result, Scoll seeks an extension of time to September 27, 2004 within which to respond to the Plaintiff's Motion to Compel.
9. Pursuant to Local Rule 7.1(A)(2), Scoll has conferred with counsel for the Plaintiff and the Plaintiff assents to this request for additional time.

WHEREFORE, Scoll moves for an extension of time to September 27, 2004 within which to respond to the Plaintiff's Motion to Compel.

Respectfully submitted,
DAVID M. SCOLL
By his Attorneys,

/s/ Sara Discepolo
George C. Rockas, BBO # 544009
Sara Discepolo, BBO # 628721
WILSON, ELSER, MOSKOWITZ, EDELMAN &
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(617) 422-5300

Dated: September 20, 2004

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CERTIFICATE OF SERVICE

I, Sara Discepolo, hereby certify that on September 20, 2004, I electronically filed the foregoing *Assented to Motion to Extend Time to Respond to Plaintiff's Motion to Compel* and caused to be served a courtesy copy of the same to all parties/counsel of record by mailing the same via first class mail, postage prepaid, to the following parties:

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/s/ Sara Discepolo
Sara Discepolo